

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS CRUZ-DIAZ,

Defendant.

Case No. MJ18-513

**DETENTION ORDER**

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

**FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

(1) Defendant has been charged by complaint with multiple counts of heroin distribution and conspiracy to distribute heroin. He is not a citizen of the United States, and it appears defendant has made an unlawful entries into the United States in that he was removed to Mexico on February 4, 2018. The Court received limited and unverified information about defendant's personal history, residence, family or community ties, employment history, financial

1 status, health, and substance use. The defendant through his attorney made argument as to  
2 release, lodged an objections to the contents of the United States Probation and Pretrial report  
3 regarding substance use history, and requested the right to revisit the issue of detention should  
4 new information become available. The defendant is viewed as a risk of nonappearance as he is  
5 a citizen of Mexico and his status in the United States is unknown. He is viewed as a risk of  
6 nonappearance because of his ties to a foreign country, lack of legitimate employment and  
7 unverified background information. The defendant is viewed as a risk of danger based on the  
8 nature of the instant offense.

9 It is therefore **ORDERED**:

10 (1) Defendant shall be detained pending trial and committed to the custody of the  
11 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
12 from persons awaiting or serving sentences, or being held in custody pending appeal;

13 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
14 counsel;

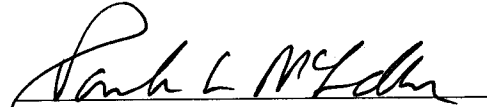
15 (3) On order of a court of the United States or on request of an attorney for the  
16 Government, the person in charge of the correctional facility in which Defendant is confined  
17 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
18 connection with a court proceeding; and

19 (4) The Clerk shall direct copies of this order to counsel for the United States, to  
20 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services  
21 Officer.

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2 DATED this 8<sup>th</sup> day of November, 2018.

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5 PAULA L. MCCANDLIS  
6 United States Magistrate Judge  
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